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LAW DEPARTMENT**
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January 26, 2022

VIA ECF

Hon. Paul G. Gardephe
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *N.G. v. N.Y.C. Dep't of Education*, 21-cv-8488 (PGG)(JLC)
corrected version; incorrect version filed 1/25/22

Dear Judge Gardephe:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, Georgia M. Pestana, attorney for Defendant in the above-referenced action, wherein Plaintiffs seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. §1400, *et seq.*, as well as for this action.

I write to respectfully request (i) a 30-day extension of Defendant's time to answer, from February 4, 2022 to March 7, 2022, (ii) that the parties' joint status letter, currently due on February 10, 2022, be extended to April 7, 2022, at which time parties will inform the Court that the matter has fully settled, or propose a briefing schedule, and (iii) that the initial conference on February 17, 2022 be adjourned *sine die*. Plaintiff consents to these requests. This is the third request for an extension of the answer and the first request for an extension of the joint status letter deadline. The first request for an answer extension was made on October 28, 2021 and granted by Your Honor on November 3, 2021. The second request was made on January 3, 2022 and granted by Your Honor that same day. The requested answer extension will provide the

parties with additional time to continue negotiating a settlement, now that Defendant has made a settlement offer and Plaintiff has made a counteroffer. We are hopeful that the parties will settle this matter without the need for further burden on the Court's time.

Accordingly, Defendant respectfully requests (i) a 30-day extension of its time to answer, (ii) that the parties' joint status letter due date be extended to April 7, 2022, at which time parties will inform the Court that the matter has fully settled, or propose a briefing schedule, and (iii) that the initial conference on February 17, 2022 be adjourned *sine die*.

Thank you for considering these requests.

Respectfully submitted,

/s/

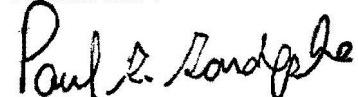
Martha Nimmer
Special Assistant Corporation Counsel

cc: Justin Coretti, Esq. (via ECF)

MEMO ENDORSED:

The application is granted. The conference currently scheduled for February 17, 2022 is adjourned to **March 1, 2022 at 11:00 a.m.**

SO ORDERED.



Paul G. Gardephe
United States District Judge
Dated: January 27, 2022